

# **EXHIBIT 91**

2/4/2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Court House  
100 Federal Plaza  
Central Islip, N.Y. 11722

Dear Judge Azrack,

I am writing this letter on behalf of Thomas Spota who has been a loyal, caring friend for many years.

Tom has been married to one of my closest childhood friends for fifty years. I have known him to be a loving husband to Mary Ellen and a devoted father to their three amazing children. Tom and Mary Ellen now have five grandchildren that they love spending time with.

My family has shared many good times with the Spotas over the years. During the summers they would visit us at our Fire Island beach house. Tom loves the ocean and was always in the water with all our kids teaching them to swim and making sure they knew how to be safe and smart in the ocean.

It was during these summer visits that we were reminded of how admired and appreciated Tom was by his constituents. When he was recognized on the boardwalk, or in the store or at Saturday evening Mass, he was greeted with warmth and gratitude for the many things he had done for Suffolk County.

During a very difficult time in my life Tom was there for me and my children. When my [REDACTED] Tom guided us through many hurdles as well as helping us acquire the additional legal support needed to resolve the many issues one is faced with when [REDACTED]

Tom has always been a compassionate caring person, interested in the lives of those around him. Even through these past few years when he has dealt with stress and worries of his own, he has continued to be a kind and generous friend, father, husband and grandfather. He is someone I am proud to call a friend.

Thank you.

Respectfully,

  
Dianne Pedelaborde

# **EXHIBIT 92**

Michelle A. Pitman, Esq.



January 22, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, NY 11722

Dear Judge Azrack:

I write this letter to you with a heavy heart as I never anticipated having to write on behalf of my former boss, Thomas Spota. I served as an Assistant District Attorney under Thomas Spota for 15 years. I proudly served under Thomas Spota and remember those years fondly. The Suffolk County District Attorney's office was my first job out of law school and was the foundation for the lawyer I am today. Making the decision of the appropriate sentence is arduous and having received these types of letters as a prosecutor, I understand there are many factors you need to consider, and I offer this letter for your consideration.

Maya Angelou once said, "I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel." I thought this was appropriate because I have nothing but the utmost respect for Thomas Spota because he made me feel validated, worthy, and proud to serve Suffolk County. The Suffolk County culture as depicted in various news outlets is not the office I knew and loved. When I was tasked with trying the biggest environmental trial in Suffolk County history, Mr. Spota offered me support and always trusted in my judgment. Justice was the guiding principle on all my prosecutions.

I ask you to be merciful. A man should not be judged solely in his darkest hour, but also in the time he cast a light upon the world. For me and countless other ADA's, Thomas Spota was a light that helped guide us.

Justice can be served in many ways. There is no doubt Thomas Spota's long career in public service is tainted and his legacy is tarnished. He is not a threat to anyone, recidivism isn't a concern, and he can still contribute positively to society. I ask you to consider leniency for a man that also gave greatly to others and accomplished much good in his career.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Pitman".

Michelle A. Pitman, Esq.

# **EXHIBIT 93**

*Hon. Arthur G. Pitts*



February 11, 2020

The Honorable Joan M. Azrack  
United States District Court  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Re: Thomas Spota

Dear Judge Azrack:

Having personally read hundreds, if not thousands, of letters written on behalf of defendants during my 25 years as a NYS County Court Judge and NYS Supreme Court Justice, I would like to start by thanking Your Honor for taking the time to read this as you contemplate the appropriate sentence for Tom Spota. I know I valued the opportunity to learn more about a defendant before I imposed sentence, to gain a glimpse into the real person that may not have been apparent during the rigors of a trial.

I first heard of Tom while a law student at St. John's Law University during the late 70's when he was a celebrated homicide prosecutor in Suffolk County. By the time I started practicing in the early 80's, Tom had opened a successful and well-respected law practice as a founding partner.

By the late 80's, my political career was taking off, and I began running into Tom at various events in the community. None influenced me more in my opinion of Tom than his friendship with Msg. John Cervini, then Pastor of Our Lady of the Miraculous Medal in Wyandanch, NY. John was a personal friend of mine and baptized my son. I came into the Rectory one day, and Tom was there. When he left, John, in his quiet, pastoral way, waxed poetically about all the good things about Tom and the work he did pro bono for one of the poorest parishes on Long Island. I never forgot it, as it was a side of Tom of which I was not aware.

(Cont'd)

Hon. Joan M. Azrack  
February 11, 2020  
Page 2-

During my first year on the bench in 1993, Tom, representing a criminal defendant, tried one of my very first County Court cases. His conduct was exemplary. His preparation was unparalleled. And his respect for the Court and the judicial branch was palpable. Tom was a consummate professional in everything he did in the courtroom.

Around the time Tom was elected Suffolk County District Attorney, I was elected as a Supreme Court Justice. I was moved over to preside over civil cases, but was still called upon to try occasional criminal cases in addition to hearing a "Writ Calendar" at the Suffolk County Correctional Facility at least once a month until I retired in June, 2018. Accordingly, I continued to have professional interaction with Tom's office. Those interactions repeatedly reinforced my opinion of Tom as a principled, professional, compassionate man, one who took his duty and responsibilities to heart.

The Tom Spota I know is one of the most dedicated public servants I have ever met. It is my fervent hope that Your Honor will consider that when deciding an appropriate sentence for a man who should not have his entire career and body of work overlooked because of one, serious lapse of judgment based on misguided loyalty.

Thank you for taking the time to read this, and I wish you all the best as you contemplate your decision in this case.

Respectfully,



Arthur G. Pitts, JSC(ret.)

# **EXHIBIT 94**



#### Board of Directors

Founder/Executive Director

Fr. Francis Pizzarelli,  
SMM, LCSW-R, ACSW, DCSW

Chairman  
Charles Russo  
Rufo, Karl, Widmaier & Cerdano, PLLC

James Altebrando  
AXA Advisors, LLC

James Barker  
Roanoke Sand and Gravel

Robert Coughlan  
Trice Real Estate Company

Dr. Robert J. Frey  
President, Frey Family Foundation

Chairman, Endowment Committee

Richard LoNigro, CEO  
Port Jefferson Sporting Goods

Mark Rose,  
Chairman of the Board Emeritus  
Clare Rose, Inc.

Members Emeriti

Robert M. Curley  
Board of Directors, Berkshire Bank

Charles R. Rampone, Sr., President  
Ramp Motors (deceased)

Ex Officio  
Very Rev. Matthew Considine, SMM  
Provincial Superior  
Montfort Missionaries, USA

Honorary Members  
Very Rev. Santino Brembilla, SMM  
Superior General  
Montfort Missionaries, Rome, Italy

Very Rev. Gerald Fitzsimmons, SMM  
Former Provincial Superior  
Montfort Missionaries, USA

#### Advisory Board

Frank C. Barker, President  
The Barker Organization

John Bruckner, President  
US Operations & Engineering  
National Grid

Anna Cuccaro  
Suffolk Plastic Surgeons, PC

Jan Coughlan

Jim Coughlan  
Trice Real Estate Company

Jenise Craig  
North Country Surgical, PC

Gary Cress

Deborah A. DiRoma  
CreativeFX Graphic Design

Kathryn Frey  
Frey Family Foundation

Kevin Griffin  
JRM Construction Management

Carl Hall, President

Echo Interiors, Inc.

Matthew R. Inductivo  
Rufo, Karl, Widmaier & Cerdano, PLLC

Debbie Lombardi  
Villa Lombardi's Catering

Matthew LoNigro  
Port Jefferson Sporting Goods

Robert Loscalzo  
Trice Real Estate Company

Patrick O'Brien

The O'Brien Agency

Nationwide Insurance

Jim Pace

Pace's Steak House

Teresa Polster

Wayne Rampone, Jr.

Ramp Ford

Sally Rose

Robert Rosenthal  
The Carnegie Corporation of New York

Steven Spiliotis, Vice President  
Spiliotis Enterprises, Inc.

Michael VanDenburg  
Renu Contracting & Restoration

Milburn Flooring

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

February 5, 2020

Dear Judge Azrack:

Thomas Spota has been an extraordinary member of our community for more than 30 years. I have known him for more than 25 years as his parish priest. For 12 years I worked with him in his capacity as Suffolk County's District Attorney. For 40 years, I have been the Executive Director-founder of Hope House Ministries, a not-for-profit agency that works with the poor, at-risk youth, and families in crisis.

The heart of our work is Hope Academy, a long-term nontraditional residential treatment program for persons suffering from addictions. We accommodate 62 men at a time, ranging in age from 18 to 50 years old. They must sign a treatment contract for a minimum of one year to 18 months.

Mr. Spota was the first Suffolk County District Attorney to openly support residential treatment as an alternative to incarceration for non-violent criminals. His willingness to listen with an open heart to our advocacy for some of the most wounded and broken among us has directly contributed to the transformation of literally hundreds of lives that otherwise would have been lost in our broken criminal justice system.

Countless times, I requested a meeting with Mr. Spota to personally advocate for young men who I felt deserved an opportunity for treatment over incarceration, even though their paper profile was troubling. Every time, Mr. Spota afforded me the time to listen to my appeals.

Forever I will remember a case that he initially said no to because of the laundry list of charges facing this young 19-year-old. He allowed me to appeal his initial decision. His reconsideration healed a broken family ravaged by addiction and afforded a bright young man an opportunity to redeem his life. This 19-year-old was facing eight years in an upstate prison due to a litany of drug-related charges. He was a drug addict who was addicted to heroin and crack cocaine.



September 6, 1991  
555th Daily Point of Light

The Ministry For Hope, Inc. - A Ministry Supported by the Montfort Missionaries

PO Box 358, Port Jefferson, NY 11777 - 0358 • www.hhm.org

Administrative/Counseling Center: (631) 928-2377 • (631) 473-6030 • Fax: (631) 473-5210

Development Office: (631) 473-8796 • Fax: (631) 828-8818 • email: [REDACTED]

He came into residential treatment a broken and disillusioned young man. He left treatment with renewed hope that he could become whatever he dreamed of. Due to Mr. Spota's trust, this young man graduated at the top of his class at St. Joseph's College. Upon graduation he went on to law school, graduated as the president of his law school class, and went on to be a Brooklyn public defender with a desire to give back for what had been given to him. He is forever indebted to Mr. Spota. He is presently married, the father of a beautiful little boy, and in private practice doing pro bono work for those in the criminal justice system because of their drug use.

So many of the young men that Mr. Spota gave a second chance to, that most others would've given up on, have gone on to be attorneys, clinical social workers, probation officers, teachers, tradesmen, nurses and countless other career professions.

As a community activist for more than three decades, I have been profoundly impressed at the respect and admiration that so many people within our community from every walk of life have for Mr. Spota. He was definitely a positive role model for the young men that I live with. I will be forever grateful for his power of example and his leadership to serve and make our community a safer and better place.

Respectfully,



Father Francis Pizzarelli, SMM, LCSW-R, ACSW, DCSW  
Executive Director-Founder/CEO  
Hope House Ministries

# **EXHIBIT 95**

**MAJOR**  
PAUL V. PONTIERI, JR.

**DEPUTY MAYOR**  
JOHN A. KRIEGER

**VILLAGE CLERK**  
PATRICIA M. SEAL



**TRUSTEES**  
SUSAN BRINKMAN  
LORI B. DEVLIN  
SALVATORE P. FELICE  
THOMAS E. FERB  
JOSEPH E. KEYES, JR.

## INCORPORATED VILLAGE OF PATCHOGUE

February 21, 2020

The Honorable Joan M. Azrack  
United States District Court Judge  
United States Court House  
100 Federal Plaza  
Central Islip

Dear Judge Azrack:

I am writing this letter on behalf of Thomas (Tom) Spota. As the Mayor of the Village of Patchogue I have the opportunity to meet and get to know many elected officials from many levels and forms of government. I first met Tom Spota not as District Attorney, but through a mutual friend about 16 years ago, and during this time we met socially and in his position as District Attorney. On a social level he is always warm and caring and as District Attorney he was always fair, but firm taking into account he needs of the defendant and also, from my perspective, the needs of the community.

During my 16 years in office I dealt with the District Attorney on a number of issues, two major ones stand out. The first was the tragic murder of a Latino man, Marcello Lucero, in 2008. The murder was committed by seven high school students near the LIRR Station in the Village. This incident became a regional and national news story and the community came under the shadow of racial intolerance. Tom and I spoke a number of times about what was happening in the Village and pressures we were under and he understood. He and his office handled the case firmly and fairly without any inference or suggestion the Village was at fault. The Village is a better place after the murder, not in small part because of the understanding of District Attorney Spota.

In 2012 the Village had an employee in the finance office steal \$190,000, she was a long time employee and wrote checks to herself. She admitted to taking the money, again Tom and I spoke at length about what should be done. My concern was she has a severely handicapped son, whom she is the primary care-giver for, separation from her for any period would be difficult at best and could have been emotionally damaging at its worst. Tom understood our concern and limited the punishment to making the Village whole financially, and she was placed on probation. Again firm, but fair.

I know Tom to be a good man and realize the extreme pressure he is under and the toll it has taken on him and his family. I submit this on Village stationary because the major support he has given over the years is to the Village of Patchogue and to its residents.

Respectively,

Paul Pontieri  
Mayor

# **EXHIBIT 96**

[REDACTED]

January 26, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack,

My name is Gail Prentiss. I was employed by Verizon for 27 years and retired in 2007 as a Central Office Technician.

I'm a longtime friend of Thomas Spota...about 58 years. We met in the early 60's, when, he and my then "future husband" were members of the Garden City Park Fire Department, Co. #3. The camaraderie of those volunteer firemen was exemplary. They unfailingly attended meetings, training drills, and most importantly, fire calls.

Tom was among a class of civic-minded young residents who took time to serve our community.

My husband and I loved that, while Tom was an intellectual lawyer, he was a fun person to be around. He could communicate at all levels.

I must tell you of the compassion and heartfelt concern I know is a magnificent part of Tom's character.

These past few years have been demanding in so many ways, for through this time Tom has been loyally preoccupied with concern for my husband, (his "old"

friend), who, in the fullness of time, passed away November 5, 2019, from

[REDACTED]

So many times I would ask Tom how he was holding up and his response minimized his problems compared to his friend's. He was seriously shaken, empathetic, and supportive.

While my husband's and my relationship with Tom has always been exclusively social, not at all "work" related, I am aware there is a long list of accomplishments to his credit. It's hard to believe that the sum of his career could be ignored.

I could not write this letter about just anyone. It's written as a testament to someone I believe to be a true friend, faithful public servant and, before all else, a faithful and loving family man.

It is my sincere hope the Court takes this letter into consideration at the time of sentencing.

Overall, I would have to say that Thomas Spota is a truly fine man with an abundance of positive qualities.

Respectfully,



Gail Prentiss

# **EXHIBIT 97**

JAMES T. REYNOLDS  
ATTORNEY AT LAW  
200 VANDERBILT MOTOR PARKWAY  
HAUPPAUGE, NEW YORK 11788

January 23, 2020

The Honorable Joan M. Azrack  
United States District Court  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Re: Thomas Spota

Dear Judge Azrack:

I am a former President of the Suffolk County Bar Association and have practiced law on Long Island for 48 years, first as an associate for several years of now deceased Judge Leonard Wexler while he was in practice and later as a partner in a prominent law firm.

I have known Tom Spota since 1972, when I first started practicing law. I am not a personal friend of Tom's nor of anyone in his family. Our relationship, while cordial, has been strictly professional.

Tom was a seasoned Suffolk County ADA when we first met. He impressed me then as a highly competent prosecutor who "tried his file", which is high praise from the defense bar. While aggressive, he was not underhanded. He was considered a highly regarded adversary.

In later years, I observed Tom as plaintiff's counsel in civil matters on many occasions. Again, I always thought of him as a forthright and highly competent counsel. I know he was held in high regard by the judges before whom he appeared. He was a successful lawyer, one who could have looked forward to a long and profitable career. However, he had a calling to return to public service. I was present the day at a conference in chambers when he told Supreme Justice Robert Doyle that he was planning to leave practice to run for Suffolk County District Attorney. Justice Doyle tried to talk Tom out of leaving practice for politics, but Tom's desire to return to public service led him to leave a lucrative practice and run for public office.

Tom's tenure as District Attorney was long and marked by many successes in prosecuting public corruption of both parties, gang violence, drugs, and the day-to-day crimes District Attorneys routinely handle. I rarely heard any word among the Bar that was negative concerning Tom or the conduct of his office, which became more professional even as it became larger. Lawyers had, as a whole, a very high regard for Tom and his staff. Their judgment and fairness were rarely questioned in my presence.

I hope the Court will take this letter into consideration when sentencing Tom. He is a fundamentally good man who has had a long and admirable career. He has done much good for the public over a long time. I hope the Court can find a way to be merciful in his sentencing and balance those good qualities against its sentencing obligations.

Respectfully,

*James T. Reynolds*  
James T. Reynolds

# **EXHIBIT 98**

## Infant Jesus R.C. Church

110 Myrtle Avenue  
Port Jefferson, New York 11777  
(631) 473-0165

February 18, 2020



The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack:

During these past seven and a half years, while serving as Pastor at Infant Jesus, I have had the pleasure of getting to know Thomas Spota and his wife Mary Ellen as parishioners. They are a delightful couple who have such a strong faith in God and are always pleasant to be around. They are very dedicated to their faith and church and have a strong love and respect for others. They usually attend mass every weekend and always make the effort to greet the priests at the end of mass before they head home. They are always so grateful, kind and courteous. They are very humble, unassuming and sincere.

Even in light of this most unfortunate situation, it is always encouraging to hear so many people tell me what a nice person Tom is. People always go out of their way to say how much they love Tom and his family and what wonderful parishioners and neighbors they are. They are so well respected and loved in our community. To this day, it is always nice to see them engaged in conversation with other parishioners at the end of every liturgy. Moreover, it is also encouraging when my parishioners ask me from time to time how Tom is holding up and if there is anything they can do for him.

I truly believe as many do, that Tom has served the court and his community well over the years. He has always been such an upright and respectful citizen and friend to so many. I firmly believe in my heart that Tom has suffered enough and has learned and grown from this ordeal. I ask that you please keep in mind the kind of person that Tom is when taking his situation into consideration.

Thank you for allowing me to share my thoughts with you. If I can be of further assistance in any way, please do not hesitate to call me. Thank you again!

Respectfully,

*fr patrick m. rieger*

Rev. Patrick M. Rieger  
Pastor

# **EXHIBIT 99**



400 Town Line Road, Ste. 170  
Hauppauge, NY 11788  
631.265.7200  
facsimile 631.265.7578

Charles C. Russo  
Terry J. Karl (R)  
Kurt P. Widmaier  
Richard T. Cordano  
Joseph L. Indusi

◆◆◆

Colleen F. Dowd  
Lauren E. Murray  
Doris B. Bilotto  
Christopher Gerace

*Medicaid Consultant*  
Margaret Wisz, LMSW

*Of Counsel*  
Joseph C. Tonetti, P.C.  
Kim Brennan Joyce, P.C.

*By appointment only:*  
186 Joralemon Street  
Suite 1202  
Brooklyn, NY 11201

◆◆◆

1103 Stewart Avenue  
Suite 200  
Garden City, NY 11530

◆◆◆

402 Main Street  
Pt. Jefferson, NY 11777

◆◆◆

7 Bayview Avenue  
Northport, NY 11768

February 6, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Re: Thomas Spota

Dear Judge Azrack:

I have been a practicing attorney in New York for the past forty-two years. For 40 of those years, I have proudly served as Chairman of the Board and counsel to a Not-For-Profit known as Ministry for Hope Inc., or commonly known as Hope House.

This not-for-profit, community-based ministry has dedicated itself to providing comprehensive and competent residential and counseling assistance to thousands of adolescents, individuals and families in crisis. Hope House is effective because we offer a long-term, holistic approach. Together, the staff and volunteers have created an empowering sense of family and community that are the change agents, helping young people grow in self-discipline, critical thinking, problem solving skills and personal responsibility.

In our early days, we provided service to young men who were homeless and, oftentimes, runaways. As our program evolved, the onset of our society's substance abuse crisis dictated our development into a rehabilitative residential program, which has grown into a 65-bed facility featuring an 18-month recovery program, which we provide at no cost to our residents, their families, or the counties we serve.

Unfortunately, as substance abuse increased in our community, so did the crimes associated with addiction. This combination of disease and criminal conduct created a great challenge to judges, prosecutors, and the defense bar, who found themselves faced with balancing a treatment paradigm with our sentencing guidelines.

Early on in my career, as an advocate for these young men, I was tasked with convincing both the District Attorney's office and the County

Court Bench that the crimes before them were a result of the insidious disease of addiction and should be addressed in a different manner.

Having began my legal career as an Assistant District Attorney in Suffolk County, I learned that my position held the power to create a pathway to change a defendant's life.

Before there were diversionary measures such as Drug Court, there were District Attorneys such as Thomas Spota, ready to listen and eager to help create pleas and sentences that would help forge a new life for any young man willing to live up to the constraints and conditions imposed. Monthly updates, drug testing and mandated counselling replaced incarceration.

For many years I have watched in total amazement as these young men, when given the opportunity afforded by Mr. Spota, gradually change, emerging as men in control of their lives eager to grow into meaningful careers and create families. Most importantly, they continue to reach out to their brothers who are still suffering with their addictions, guiding them to the light of a better day. Thomas Spota, opened the door to that better life. Social workers, teachers, school administrators, lawyers, nurses, a State Legislator, bankers, electricians, plumbers, operating engineers, husbands and fathers surfaced, born from his compassion.

I don't think that Tom recognizes just how many young men he has affected. The young men that have chosen to write on Mr. Spota's behalf are living proof of what compassion, empathy, and risk-taking breeds. But the letters attached hereto are just a small sampling of the lives saved, and potential realized, as a result of Tom's support of the Hope House program. Indeed, we could fill your Courtroom with hundreds of the young men who now lead productive and meaningful lives, enjoy family life, and the freedom from their addiction. Tom created hope for all of them by helping to pave a path to a future filled with possibility.

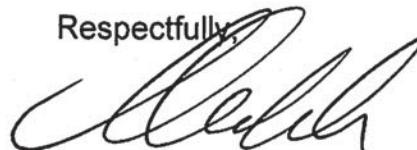
I have been honored to accompany each of them from Arraignment and other Court appearances, through the difficult dark days of rehabilitation, to the joy of graduation from colleges, law schools, nursing schools, and social work programs. I have sat in hospital rooms as they detoxified from their dreaded disease, and then shared the excitement of fatherhood in the maternity section of those same hospitals.

One of the young men, who is a practicing attorney and a proud father of two young children, submitted a letter and wrote:

"As Mr. Spota believed, a person's story and journey should not be judged based on one action or one out of character decision; our story should instead be judged on the entire journey and all of our actions."

Your Honor, please do not judge Thomas Spota simply for his transgressions, but consider his full journey and the extraordinary impact he has had on the lives of so many of these wonderful young men.

Respectfully,



CHARLES C. RUSSO, ESQ.

CCR/lr

Enc.

# **EXHIBIT 100**

SCARING & CARMAN PLLC

ATTORNEYS AT LAW

SUITE 501

666 OLD COUNTRY ROAD

GARDEN CITY, N. Y. 11530-2004

\_\_\_\_\_

(516) 683-8500

\_\_\_\_\_

FAX

(516) 683-8410

STEPHEN P. SCARING, P.C.  
SUSAN SCARING CARMAN

\_\_\_\_\_

MATTHEW W. BRISSENDEN  
OF COUNSEL

\_\_\_\_\_

January 27, 2020

Hon. Joan M. Azrack  
United States District Judge  
Eastern District of New York  
100 Federal Plaza  
Central Islip, NY 11722

Re: Thomas Spota

Dear Judge Azrack:

I am pleased to have the opportunity to write this letter in support of Tom Spota, who is scheduled to be sentenced before you.

Tom and I are the same age and our early careers paralleled each other. I started in the District Attorney's Office in Nassau County in the late 60's. Shortly thereafter, Tom began his career in the Suffolk County District Attorney's Office. During that period of time, we were both involved in the prosecution of major murder cases occurring in our counties. I followed his early career and was aware that, at the time, his reputation as an attorney and prosecutor was excellent. Indeed, he was admired by the younger Assistant District Attorneys in the office. His skill and commitment to his responsibility as a prosecutor resulted in the successful prosecution of many of Suffolk County's major criminal trials. I left the Nassau District Attorney's Office in the mid-70's to go into private practice. Tom remained in the District Attorney's Office for several years thereafter.

Because of some early successes in Suffolk County, my practice, which was predominantly a state practice, heavily centered in Nassau County, soon expanded into Suffolk County. Indeed, more than half of my cases were tried in Suffolk County. Tom's excellent reputation became more apparent as I interacted with the Suffolk County District Attorney's Office. Tom was a leader, as well as a teacher, and was admired not only by his superiors and co-workers, but also his adversaries on the defense side.

After he left the office and went into private practice, I had little contact with him. However, his excellent reputation among members of the criminal bar continued to be well

SCARING & CARMAN PLLC

Hon. Joan M. Azrack  
January 27, 2020  
Page 2

known. He was held in high regard in the Suffolk legal community, by the judges, prosecutors and his defense colleagues. He would soon run for and get elected to the post of District Attorney, fulfilling his hope to ultimately return to the office where he started.

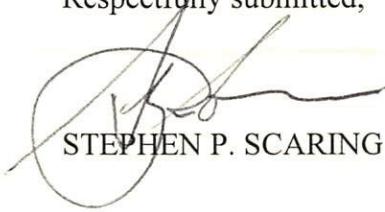
After he became District Attorney, he seemed to focus on modernizing the District Attorney's Office, enhancing the training and development of his assistants, including respected bureau chiefs, to administer his office. Little things – like an open attitude towards discussions with defense lawyers and returned telephone calls – made a big difference in how the office operated. Objectivity seemed to permeate the office under Tom's leadership. All along, his staff remained committed to aggressively but fairly prosecuting those who had committed criminal acts in Suffolk County.

It is hard for me to imagine how difficult it was for Tom Spota, knowing his reputation, to face these criminal charges on a daily basis for the last two years. I stopped in to see him during the trial, and I was taken aback by how he has aged. While I was not a personal friend of Tom, to the extent that we socialized, I had met his wife once before. When I saw her in the courtroom, I was also shocked to see the toll this case has taken on her. It is hard for me to imagine how difficult it will be for him to appear before you for sentencing. He has already had his reputation trashed on a daily basis, in the most public forum imaginable. He has faced the glaring cameras and the negative press for months on end, and, of course, the jury's verdict.

I will not comment on the verdict, but I will say that I never saw or was aware of a situation where Tom acted inappropriately or in a way that was inconsistent with his responsibility as an attorney and a prosecutor. Regardless of what your sentence is, the impact of this case, I am sure, will be on his mind during every waking moment, for the rest of his life. I hope that he and his family find some peace when this case is over.

Thank you.

Respectfully submitted,



STEPHEN P. SCARING

SPS/cn

# **EXHIBIT 101**

Cynthia Z. Scesny



---

March 23, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack,

By way of introduction my name is Cynthia Scesny. I am a paralegal by degree and come from a family of lawyers. More importantly, I have had the honor of having worked directly for Tom Spota in both the private and public sectors for the last 30 years. During that time, although it was an employer/employee relationship, the impact he has had on me, both professionally and personally, is difficult to put into words.

As a mother of three, I had finished my paralegal degree and was introduced to Tom by my father. My dad was an attorney and thought it would be a good learning experience if I "tagged along" with Tom until I was able to locate a job. Tom agreed. So what began could not only be termed as a good learning experience, but as a GREAT learning experience. My life changed for the better the day I met Tom Spota.

One of the first cases I remember Tom having was when he was assigned by the Courts to be a special prosecutor on a rape case. I watched as he dealt with the victim and her family. His compassion, attention to detail, his command of the facts of the case and knowledge of the law, had me fascinated. I was hooked. After a few weeks, Tom asked if I was interested in a full time position that was becoming available in his law office. Needless to say, I jumped at it.

When Tom was elected Suffolk County District Attorney, he offered for me to come with him and I did. So you can see that no matter what title you gave me, I was Tom Spota's devoted assistant.

I could go on and on about the professional side of Tom Spota. I saw it day in and day out for over 30 years. It was par excellence. He was respected and well liked as a person, as a prosecutor, and as an adversary. I am certain many of the letters you have received clearly reflect this.

In our 30 years together, there were difficult days, disagreements, deadlines to meet and things that just didn't go right. However, it would always end with a deep breath and a discussion on what to do next.

Over the years, there were many times when Tom extended a helping hand to me.

Tom not only guided me through the legal aspects of the situation, he also reached out to my father and personally attended a meeting with him and [REDACTED] What employer takes that extra step with such concern and compassion?

When my dad was near the end of his life, [REDACTED] there were only three people, other than family members, my dad allowed to visit him and Tom was one of them. My father had much respect for the man Tom Spota was and currently is. Tom's humanness made him a wonderful boss, a tenacious prosecutor and a compassionate human being.

The loss of a parent makes you reflect on every aspect of the painful journey. Tom helped with my dealing with [REDACTED]

The lessons he taught me over the years prepared me to get my dad and my family through such a tough time of loss.

Tom has danced at my children's weddings, consoled me when times got rough, [REDACTED] and was there for me through numerous successes and failures. When Tom would walk in the office he would know immediately what frame of mind I

was in. If I needed time, he gave it to me. If I needed to talk, he listened. If I needed to cry, he waited for the emotion to pass and then we would discuss possible solutions.

I watched his children grow into fine adults and saw firsthand his pride in their accomplishments. I watched as the tough prosecutor softened a bit more and more with the birth of each of his five grandchildren, until he became a full-fledged grandpa.

I witnessed his care and concern for his mother-in-law as she advanced in age. He stood strong as she [REDACTED]

[REDACTED] After 50 years of marriage his love for Mary Ellen has flourished and has been and continues to be a grounding point for him.

I have maintained contact with Tom even after his resignation. Until recently we had been working in the same law office. His love for the law continues to amaze me, he has dedicated his life to it. The enormous toll that the case has taken on him saddens me. His vim and vigor has diminished. Tom has always been an active, vibrant man. He loves to swim and play tennis. He even did his own yard work and loved splitting firewood. But at 78 years old and under this tremendous strain, he is simply not the same, physically or emotionally. I am concerned about his health, which I believe is showing signs of stress-related problems,

[REDACTED]

[REDACTED]

Early in the federal investigation, I asked Tom if I should get an attorney. He questioned why. I responded by saying, "Well what if they want to talk to me, what would I say?" His response was, "just tell them the truth". Those words stayed with me and speak to the true integrity of the man Tom Spota is. Through everything that has happened my opinion of him and his principles remain as strong now as they always have been.

Over his desk in the District Attorney's Office hung a picture with this quote –

**PRINCIPLES**

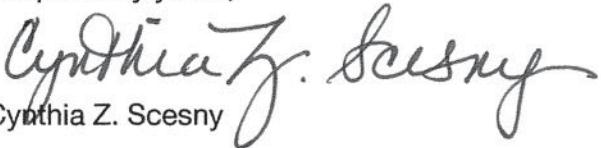
*"In matters of style, swim with the currents . . . in matters of principle, stand like a rock."*

*Thomas Jefferson.*

If there is a word that describes Tom Spota, it is principled. He has integrity in the face of adversity. He acts with decency and honesty. He has a strong sense of fairness, justice and respect and has genuine concern for individuals, groups and his community.

Your Honor, I respectfully request that you consider my heartfelt comments that I have shared with you when Tom Spota comes before you. He is a good man, and I am a better person for knowing him.

Respectfully yours,

  
Cynthia Z. Scesny

## **EXHIBIT 102**

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Ashley Shemain  
[REDACTED]  
[REDACTED]

Date: January 21st, 2020

Dear Judge Azrack:

We are writing to you as a family to express the devastating effect that the outcome of Tom Spota's trial has had on our family. Shock, disbelief, outrage, empathy, helplessness all jostle for primacy in our hearts as we deal with this sad news—and we feel all of them at once.

Since we first moved in across the street from the Spotas in 1979, forty years ago, our families have been fast friends. They were the first neighbors to come over and welcome us the day we moved in—and we shared a pizza sitting on moving boxes and using them as tables in our new house. Young Tommy and our son Brandon, both five, became inseparable friends—from the bus ride to school, to the classroom, and playing in each others houses and yards later in the day. Katie, at three, had not started school and would often cross the street with their German shepherd, Max, and help my wife, Marie, fold clothes while she waited to play with my daughter Leslie upon her return from school. Patty was born while we lived in Mt. Sinai and Marie baby-sat her often, as did my son, Ashley on occasion.

We lived across the street from them for only three years, but have been good friends for forty, spending holidays in each other's houses, vacations and trips together and often sending our kids to spend a few days in each other's homes. When we moved to a new job in Albany it was a difficult rift for all of us—Max did his silent best to protest, he sprawled across the laps of my children in the back seat of our station wagon, preventing Marie from driving away, until he was physically dragged out. He then trotted behind the car until it made the right turn on to Old Country Road. It has been the richest friendship in our experience.

It was a privilege to be the Spotas' friends, as they epitomized all that was normal and good in America. Tom had the unquestionable respect of our neighborhood as the successful chief prosecutor of Suffolk County. He carried himself with quiet dignity, and treated his high office with matter-of-fact modesty. Everybody knew of his dedication to the law, and the long hours he committed to his job. He loved his work, and was a natural at it. The few years he spent in private practice seemed to be an anomaly, where he was not in his element, but fortunately for us all, he returned to the Prosecutor's office to continue his long and productive career in law enforcement.

Tom has achieved greater success in his profession than anyone else we know, yet he has remained the same down-to-earth friend and good person that he was forty years ago. The Spotas have lived in the same house for over forty years, and spend modestly, considering their financial success. All their children have worked hard, gone to college,

married, had families and have become important strands in the fabric of American life. They are a great American family, and we are proud to be their friends.

Your Honor, the Spotas are good people and are perhaps more deserving of compassion than most of us. Any sentence of Tom will inevitably be imposed on everyone in this wonderful, tight-knit family. Given Tom's lifetime career, having used his unquestionable talents in selfless service delivering law and justice to the people of Suffolk County, we implore you and sincerely pray that God will bless you for showing mercy.

Respectfully,

Respectfully,  
Ashley Shemain Marie Shemain  
Ashley Shemain Marie Shemain

# **EXHIBIT 103**



February 3, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack:

I came from a good, middle class home with wonderful parents who loved and supported me in any way they could. Despite an upbringing that afforded me many opportunities, I decided to forge my own path in life, a path that led me off the course I was supposed to follow. This journey would ultimately lead me to a crossroads in my life, one that Mr. Spota became instrumental in and forever shaped who I am as a person, husband, father, son, brother and attorney.

I write this letter of support on behalf of Mr. Spota because if was not for his actions and his courage, I would not be where I am today. The backdrop of my story has no real bearing on this letter, but what is paramount to my story, my life and my success, is a decision that Mr. Spota made, a leap of faith that he took for me and many who came after me.

At twenty-one years old, I was facing a significant amount of time in prison due to the toxic lifestyle I was living. I had no one to blame but myself. My actions caused havoc and hurt many people. Despite this, Mr. Spota, as the District Attorney, stepped in and allowed me to attend a newly formed judicial diversion program run by Hope House Ministries. My actions may not have warranted this chance, but I truly believe that Mr. Spota saw something inside of me that others did not.

I was the third person placed in this program. The first did not succeed and was sent to prison. Despite this, Mr. Spota believed in the program, believed in the people he served, and believed in his community. His decision took courage and an outside the box approach. He took a chance on me and I will forever be in his debt.

As I write this letter of support, I have come a long way from that twenty-one year old kid who had no direction in life. Due to the opportunity I was offered by Mr. Spota, I am happily married with two beautiful children. I own a home. I am a practicing attorney and a productive member of the community. None of this would have been possible if it was not for Mr. Spota. I owe my life to him and his courage to think outside the box.

There have been countless others who have come after me that share a similar story. It was his fearless dedication to the program and his community which set the stage for so many of us to succeed in life. Both his professional and personal impact has changed the world and made it a better place for all of us, as well as our families and all the lives we have been able to touch in a positive way. I am just one story, one person, but Mr. Spota's actions are responsible for so much of the good in our community and beyond.

As Mr. Spota believed, a person's story and journey should not be judged based on one action or one out of character decision; our story should instead be judged on the entire journey and all of our actions. The world is a better place due to the journey and actions of Mr. Spota.

Respectfully,

A large black rectangular redaction box covering the signature of the author.

# **EXHIBIT 104**

February 3<sup>rd</sup>, 2020

The Honorable Joan Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack:

I am submitting this letter in the hope that my thoughts and information may be considered regarding Thomas Spota's upcoming sentencing.

I am a retired Suffolk County Police Detective Lieutenant, retiring in 1991 after 29-plus years of service. During my tenure, I served 13 years as the Commanding Officer of the Criminal Intelligence Bureau. Upon leaving the Suffolk County PD, I immediately began a career with, then, Long Island Lighting Company. After 23 years with National Grid, LILCO's successor, I again retired, this time as Manager of Global Security Long Island. When working for the Utility Company, I applied for membership to the Board of Directors of the Suffolk County Police Athletic League. I was accepted in 2004 and am presently serving as 2<sup>nd</sup> Vice President. I include this brief summary in order to help Your Honor understand a little about myself and my relationship with Tom.

I first met Tom in the early '70s, when he was serving as a Suffolk County ADA. My first interactions were initially professional. I soon came to know him on a social level as well. We have continued a friendship through his years in private practice and after his election to District Attorney of Suffolk County. As the years progressed, I was impressed with his competency, his work ethic and his integrity. Tom could always be counted on to support worthwhile causes with intelligence and compassion. For example, he was a strong supporter of the SCPAL, both financially and personally. Many times, he would attend functions and sporting events that benefitted the 26,000 kids in our programs. I also can attest to his support and attendance at many community functions that advanced their agenda for a better community. As I have earlier indicated, I have known Tom, and Mary Ellen, socially and have had them as guests for dinner and Barbecues at my home many times.

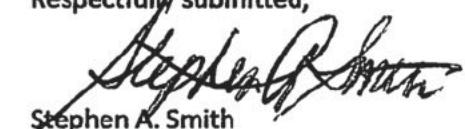
I know the jury has spoken, but I respectfully ask the Court to consider all of the good this man has achieved over a lifetime of public and private service as well. My heart goes out to Mary Ellen, Tom (Jr.), Kate and Patti, all of whom are suffering through this ordeal. If I can paraphrase an oft-quoted remark, please do not judge a lifetime of exceptional service and achievement based on one black mark.



I urge compassion and leniency when Your Honor sentences Tom. I know there is a price to pay when found guilty but a jail sentence, especially at his age, would be devastating to Tom and his family.

I urge Your Honor to find mercy in your heart when passing sentence on this fine man.

Respectfully submitted,

  
Stephen A. Smith  
[REDACTED]

# **EXHIBIT 105**



January 30, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Re: Thomas Spota

Dear Judge Azrack:

I am writing this letter to the Court in advance of the sentencing of Thomas Spota and in an effort to provide some insight to the Court regarding the contributions Mr. Spota has made directly in the lives of many of my friends, as well as the positive impact he has indirectly made in my own life. Specifically, I am referencing the many years Tom Spota has coordinated his efforts and his former office's efforts with Hope House Ministries to help those struggling with addiction to stop the chaos and destruction their addiction was causing, retake control of their lives, and become productive members of society.

I do not know the decision-making process or circumstances that led Tom Spota to collaborate with Hope House to help provide an alternative to incarceration for those in the criminal justice system that were struggling with addiction, but I imagine it was a big risk politically and professionally to divert many addicts facing prison time to Hope House instead. As a result of this decision, hundreds of these addicts completed the Hope House program and began new and productive lives in recovery.

I saw first-hand the positive results of this collaboration as I was a resident of Hope House Ministries from June 28, 2010 until mid-January 2012. Prior to residing in Hope House I struggled for many years with alcoholism and damaged relationships with family and friends, lost employment, suffered physically and emotionally, and lacked the ability to manage my life. While at Hope House, I passed the New York State Bar Exam and was admitted to practice law in 2011. I have since been admitted to practice in New Jersey, California, and Texas and have restored those relationships most important to me.

Although my path to Hope House did not go through Tom Spota, many of the Hope House brothers I resided with and remain close with today made their way to this program via the work Tom Spota did at the Suffolk County DA's office. These brothers supported me in my efforts to get sober and repair the damage I caused as a result of my active addiction. Moreover, I was inspired by them and especially how they seized the opportunity afforded to them by Tom Spota to transform their own lives. The atmosphere of support in Hope House and the opportunities available there, due in part to the efforts of Tom Spota, has led addicts with no

hope and the prospect of prison turn into lawyers, teachers, electricians, accountants, and other productive citizens. More importantly, it allowed these same struggling addicts to again become the sons, fathers, and husbands they were prior to addiction.

It is my hope that Your Honor will take what I have said in this letter into consideration when making your decision regarding Tom Spota's sentencing. Although he, like all of us, has made mistakes, he has also helped change for the better the lives of countless men and in turn the lives of those closest to them.

Respectfully,

A large black rectangular redaction box covering the signature area.

# **EXHIBIT 106**

+

January 17, 2020

The Honorable Joan M. Azrack  
United States District Judge  
United States Courthouse  
100 Federal Plaza  
Central Islip, New York 11722

Dear Judge Azrack:

Thomas Spota and I are first cousins. I've known Tom since he was born. I'm seven years older and have seen him from that perspective all along. His Dad (also Thomas) was my uncle and the saintliest man I ever knew. Tom was raised in that same tradition - play it straight.

Going back a bit, our grandparents came to America in 1896, met here, married and began a family. They had thirteen kids in all. Eight survived to adulthood. Little Italy. East Harlem. Bronx. Depression. WW II. War work, defense plants, military (Europe). One way or another, they scraped through and thrived so that every one of us in the second generation went to college. The family paid their dues and survived and had further generations.

Tom's family is a model. Both he and his wife Mary Ellen have done years of volunteer work. Each of their children, Thomas, Katie and Patty, all went into professional work - in videography, law and education. And now their grandchildren - [REDACTED] - will be coming along on the road to good citizenship.

It was our Grandma who laid down the foundation, hammering home her direction. "Ya gotta be fair!" It was her version of Confucius and the Golden Rule. And that meant be fair to everyone, regardless of nationality, religion or race. From the origins of the Italian ghettos where the temptations were prevalent, I know of not one single family member who was in serious trouble with the law.

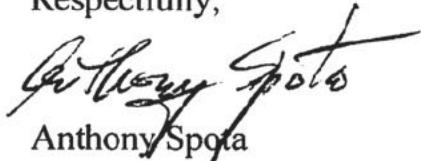
Tom continued in that spirit. Notre Dame School (New Hyde Park). Chaminade High School. Fairfield University. St. John's University Law School. Attorney. Assistant DA. Defense Attorney. District Attorney. Like his father, Tom was always a straight shooter. I've never known him to take a nickel he hadn't earned nor to lie

at any time about anything. There has never been any indication that Tom has ever been enriched in any way by any underhanded means during his 16-year term as District Attorney, nor at any other time.

As Treasurer for Tom's election campaign, I maintained records of all donations, deposits, receipts and items paid (with copies of checks both in and out) and a statement for each month. There were a number of times when Tom reminded me to play it straight and make sure the transactions were reported properly. I didn't need the advice, but it was an indication of his honesty. I might mention here that every new donation was checked out to make certain that it wasn't underhanded, exorbitant, or from someone in trouble with the law.

Your Honor, I ask that you consider Tom Spota's long and innovative career, and major works against corruption, gangs, clergy abuse, illegal dumping and other threats to our safety, security and well-being. Tom is not and never would be a threat to our society. I ask that Your Honor consider all of this when determining what is, in your judgment, the appropriate sentence for Tom.

Respectfully,



Anthony Spota

